



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

1 Monica Rios & Nathaniel Rios (GUARD/P)**Case No. 05CEPR00810****Guardian: Josefina Rios (Pro per – Paternal grandmother)****Petitioner: Monica Garcia (Pro per – Mother)****Petition for Termination of Guardianship (as to Nathaniel only)**

| | | | |
|---|----------------------|----|---|
| MONICA GARCIA , mother, is petitioner | | | NEEDS/PROBLEMS/COMMENTS: |
| JOSEFINA RIOS , paternal grandmother, was appointed guardian of Monica Rios and Nathaniel Rios on 7/18/2005. | | | |
| Cont. from 062016 | | | This petition is as to <u>NATHANIEL</u> only. |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | Minute order dated 6/20/2016 continued matter to 8/1/2016 and states examiner notes given in court. 1. Need proof of service of <i>Notice of Hearing</i> with at least 15 days notice <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: a. Pedro Rios (father) – <i>unless the Court excuses notice</i> |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail | w/ | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input checked="" type="checkbox"/> | Pers.Serv. | w/ | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input checked="" type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| See petition for details. | | | Reviewed by: SEF |
| | | | Reviewed on: 7/25/2016 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 1- Rios |

Attorney Susan K. Arthur, of Walton & Mitchell, Sanger (for Garren J. McMurry, Administrator)
 Attorney James R. Walton (retired; formerly for Garren J. McMurry, Administrator)

Notice of Motion and Motion to be Relieved as Counsel

| | | | | |
|--------------------------|----------------------|--|--|---|
| DOD: 11/13/2006 | | <p>SUSAN K. ARTHUR, of WALTON & MITCHELL, Attorney of record for Personal Representative GARREN J. MCMURRY, is Movant.</p> <p>GARREN J. MCMURRY, son, was appointed Administrator with Full IAEA without bond on 5/22/2007, and <i>Letters</i> issued on that date.</p> <p>Movant requests under Code of Civil Procedure § 284(2) and CA Rule of Court 3.1362 an order permitting her to be relieved as attorney of record in this proceeding.</p> <p>Motion is supported by Declaration of Susan K. Arthur, papers and records filed in this proceeding, and the following additional documents and evidence:</p> <ul style="list-style-type: none"> Letter to Garren J. McMurry dated May 15, 2015; Letter to Roberta Skogsberg, daughter, dated May 29, 2015; Copy of Tax Deed to Purchaser of Tax—Defaulted Property last assessed to James A. McMurry recorded on April 5, 2013; Photocopy of the envelope of returned certified letter our office sent to Garren McMurry; the letter was returned to our office on June 11, 2015; Letter to Garren J. McMurry dated May 16, 2016 sent in care of Amparo M. McMurry. <p align="center">~Please see additional page~</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Need proof of service of notice of the <i>Motion to be Relieved as Counsel</i> for Wells Fargo Card Services, based on Creditor's Claim filed 7/23/2007 for \$1,435.08, per the <i>Request for Special Notice</i> filed 7/23/2007 pursuant to Probate Code §§ 1250 and 1252. Court may require proof of service of notice of the <i>Motion to be Relieved as Counsel</i> for: <ul style="list-style-type: none"> ROBERTA L. SKOGSBERG, daughter; CHASE BANK – Creditor's Claim filed 5/30/2007 for \$3,120.67; SIMPSON GROUP RETIREMENT FUND – Creditor's Claim filed 9/4/2007 for \$1,248.00; PHILIPS & COHEN for CHASE BANK – Creditor's Claim filed 11/15/2007 for \$1,281.64. | |
| Cont. from | | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| <input type="checkbox"/> | Inventory | | | |
| <input type="checkbox"/> | PTC | | | |
| <input type="checkbox"/> | Not.Cred. | | | |
| <input type="checkbox"/> | Notice of Hrg | | | X |
| ✓ | Aff.Mail | | | |
| <input type="checkbox"/> | Aff.Pub. | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | X |
| <input type="checkbox"/> | Pers.Serv. | | | |
| <input type="checkbox"/> | Conf. Screen | | | |
| <input type="checkbox"/> | Letters | | | |
| <input type="checkbox"/> | Duties/Supp | | | |
| <input type="checkbox"/> | Objections | | | |
| <input type="checkbox"/> | Video Receipt | | | |
| <input type="checkbox"/> | CI Report | | | |
| <input type="checkbox"/> | 9202 | | | |
| ✓ | Order | | | |
| <input type="checkbox"/> | Aff. Posting | | | |
| <input type="checkbox"/> | Status Rpt | | | |
| <input type="checkbox"/> | UCCJEA | | | |
| <input type="checkbox"/> | Citation | | | |
| <input type="checkbox"/> | FTB Notice | | | |
| | | <p>Reviewed by: LEG</p> <p>Reviewed on: 7/25/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2- McMurry</p> | | |

Declaration of Susan K. Arthur in Support of Motion to be Relieved as Counsel filed 6/17/2016 states:

- Attorney James R. Walton retired on May 11, 2011; prior to retirement, he represented Garren J. McMurry in a probate matter which was filed on April 12, 2007. Mr. Walton had difficulty maintaining contact with Mr. McMurry throughout the probate proceeding;
- On June 4, 2009, Mr. Walton sent a letter to Mr. McMurry; the letter stated that he had not heard from Mr. McMurry in over a year; Mr. McMurry met with Mr. Walton July 7, 2009 and promised to stay in touch and work to close the estate. Our office has had no further contact with Mr. McMurry since July 7, 2009;
- An Inventory and Appraisal was filed in the probate estate on August 22, 2007; The assets of the estate were: real property located on Elwood Road, Squaw Valley, valued at **\$190,000.00** [vacant lot and mobile home], a 1983 Nissan Pickup valued at **\$500.00** and a 1988 Ford Aerostar valued at **\$700.00**;
- The real property was sold at public auction on or about March 14, 2013, by the Fresno County Tax Collector; they are unable to locate the two vehicles;
- On May 15, 2015, their office once again tried to locate Mr. McMurry by calling his last known telephone numbers, mailing letters to his last known address, searching various web sites for information on him and checking to see if Mr. McMurry is incarcerated;
- On May 29, 2015, they spoke with former family member **JULIE SKOGSBERG** who lost contact with Mr. McMurry several years ago and is unable to provide us with any information regarding his current whereabouts;
- On June 11, 2015, they received back from the post office a certified letter we sent to Mr. McMurry; the letter was marked returned to sender, not deliverable as addressed, unable to forward;
- On May 16, 2016, their office again tried to locate Mr. McMurry by searching his name in the Whitepages Premium; they called his last known phone number, which is disconnected; the last known address is listed as the same address they have previously sent letters to and they were returned with no forwarding address;
- Through Whitepages Premium they located a potential relative of Garren McMurry, **AMPARO M. MCMURRY**; Amparo has a common previous address as Garren; Amparo McMurry's phone number is disconnected; they sent another letter on May 16, 2016 to Garren McMurray at Amparo McMurray's address in Sanger; they received no answer to this letter;
- They are asking to be relieved as counsel of record in this probate matter because there is nothing our office can do to complete this probate; no hearing other proceedings are presently scheduled in this probate matter.

Movant states the court should grant attorney's motion to be relieved as counsel of record because the Attorneys hands are tied in this matter. The probate cannot be completed without client's cooperation.

~Please see additional page~

Notes:

- Tax Deed to Purchaser of Tax-Defaulted Property recorded 4/5/2015 shows based on a tax lien for Fiscal Year 2006 -2007, the estate real property last assessed to **JAMES A. MCCURRY** was conveyed to purchaser *[name omitted]* at a public auction held on 3/14/2013 – 3/18/2013, pursuant to statutory powers of sale under the Revenue and Taxation Code for the sum of **\$22,430.00**.
- Because the personal representative **GARREN J. MCMURRY** has not communicated with the Attorney and has not been located, the granting of the Attorney's motion to be relieved as counsel will leave no person to close this apparently insolvent estate, since real property was sold pursuant to the tax lien default, and pursuant to the *Notice of Motion Judicial Council form MC-051* itself: "the client will be solely responsible for the case." Probate Code § 7621(b) provides that appointment of the **PUBLIC ADMINISTRATOR** may be made on the Court's own motion, after notice as provided in Probate Code § 1220 (that is, 15 days before hearing.) Attorney has not requested such appointment and has not served any notice to that office nor to County Counsel's Office.

3 Jose Ramon Millan & Jose Rosario Millan (GUARD/P)**Case No. 07CEPR00475****Petitioner Millan, Martha (Pro Per – Mother)****Petition for Termination of Guardianship**

| | | | | |
|--------------------------------|----------------------|--|--|---|
| | | MARTHA MILAN , mother, is petitioner. <u>Please see petition for details</u> | NEEDS/PROBLEMS/COMMENTS: Court Investigator to provide: 1) CI Report 2) Clearances 1. Need Notice of Hearing. 2. Unless the Court dispenses with notice; need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship for: <ul style="list-style-type: none">• Father of Jose Ramon (Unknown)• Father of Jose Rosario (Unknown)• Paternal Grandparents of Jose Ramon (Unknown)• Paternal Grandparents of Jose Rosario (Unknown) | |
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| | | | | |
| Cont. from | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| | Notice of Hrg | | | x |
| | Aff.Mail | | | x |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| | Pers.Serv. | | | |
| | Conf. Screen | | | |
| | Letters | | | |
| | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| | CI Report | | | x |
| | 9202 | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | | |
| Reviewed by: LV | | | | |
| Reviewed on: 07/25/2016 | | | | |
| Updates: | | | | |
| Recommendation: | | | | |
| File 3- Millan | | | | |

Attorney Ruth P. Lind (for Conservator Linda S. Davis)

Fifth Account and Report of Conservator, Petition for Settlement of Account,
and for Approval of Attorney Fees

| | | | |
|---|---------------|---|--|
| | | LINDA S. DAVIS , daughter and Conservator of the Person and Estate, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: Note: Court will set status hearings as follows: <ul style="list-style-type: none"> Tuesday, September 6, 2016 at 9:00 a.m. in Dept. 303 for filing proof of increased reduced bond; Tuesday, October 9, 2018 at 9:00 a.m. in Dept. 303 for filing of the sixth accounting. Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required. |
| | | | |
| | | | |
| | | Account period: 1/1/2014 - 12/31/2015 | |
| | | Accounting - \$422,606.86 | |
| | | Beginning POH - \$399,466.09 | |
| | | Ending POH - \$405,768.97 (\$301,388.83 is cash) | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | Conservator - Not requested | |
| | PTC | | |
| | Not.Cred. | Attorney - Not requested | |
| ✓ | Notice of Hrg | Bond - \$449,658.15 (insufficient; Petitioner requests increase;) | |
| ✓ | Aff.Mail | w/ | |
| | Aff.Pub. | Petitioner states the Conservatee's husband, RICHARD P. YELL , the Petitioner, and her husband, RICHARD DAVIS , are also the successor co-trustees of the YELL REVOCABLE TRUST dated 6/28/2005 , which is outside of Court jurisdiction; Petitioner pays a portion of Conservatee's expenses from the conservatorship account with the remainder paid from the Trust; The financial arrangement is appropriate considering Conservatee has both separate and community property. | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| ✓ | CI Report | Petitioner requests that bond be increased to \$459,073.30 pursuant to computation based on assets on hand, income, and recovery. | |
| ✓ | 2620(c) | | |
| ✓ | Order | Petitioner requests an order: 1. Approving, allowing, and settling the Fifth Account and Report; 2. The Court discharge the bond of \$449,658.15 and set new bond at \$459,073.30 . | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | Court Investigator's Report filed 9/29/2016. | |
| | | | Reviewed by: LEG Reviewed on: 7/25/16 Updates: Recommendation: File 4 – Yell |

5 Mychael John Salvador (GUARD/P)**Case No. 09CEPR00862****Petitioner Salvador, Krystal (Pro Per – Mother)****Petition for Visitation**

| | | |
|---|--|--|
| Age: 9 years | KRYSTAL SALVADOR , mother, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Visitation for: <ul style="list-style-type: none">• Alicia Ann Bradshaw (Guardian)• Mark Thompson, Jr. (Father) |
| | <u>Please see petition for details</u> | |
| Cont. from | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> Verified | | |
| <input type="checkbox"/> Inventory | | |
| <input type="checkbox"/> PTC | | |
| <input type="checkbox"/> Not.Cred. | | |
| <input type="checkbox"/> Notice of Hrg | <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> Aff.Mail | <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input type="checkbox"/> Pers.Serv. | | |
| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
| <input type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| <input type="checkbox"/> Order | <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
| <input type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |
| | | Reviewed by: LV |
| | | Reviewed on: 07/25/2016 |
| | | Updates: |
| | | Recommendation: |
| | | File 5- Salvador |

6 Lucas Duarte, Starr Duarte, Dominick Duarte & Nicholas Balero (GUARD/P)
Case No. 11CEPR00774

Petitioner Balero, Vanessa (Pro Per – Mother)

Petition for Termination of Guardianship

| | | | |
|-------------------|---------------|--|---|
| | | VANESSA BALERO, mother, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | <u>Please see petition for details</u> | |
| | | | Note: Petition pertains to Nicholas Balero only. Minute Order of 06/20/2016: Examiner notes given. The following issues remain: 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Nicholas Balero (Minor) Rosie Perez (Guardian) Rafael Yanez (Father) Paternal Grandparents (Unknown) Manuel Balero (Maternal Grandfather) Julie Salinas (Maternal Grandmother) |
| Cont. from 062016 | | | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| | Notice of Hrg | x | |
| | Aff.Mail | x | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| ✓ | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | Reviewed by: LV |
| | | | Reviewed on: 07/25/2016 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 6- Duarte & Balero |

7 Ava Natalya Castanon (GUARD/P) Case No. 12CEPR00852**Petitioner Castanon, Madelen (Pro Per – Mother)****Petition for Termination of Guardianship**

| | | |
|--|--|--|
| Age: 3 | Madelen Castanon , mother, is petitioner. | NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship for: <ul style="list-style-type: none">• Paternal Grandfather (Not Listed)• Macy Fox (Paternal Grandmother) |
| | <u>Please see petition for details</u> | |
| Cont. from | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> Verified | | |
| <input type="checkbox"/> Inventory | | |
| <input type="checkbox"/> PTC | | |
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| <input checked="" type="checkbox"/> Notice of Hrg | | |
| <input type="checkbox"/> Aff.Mail | x | |
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| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
| <input type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
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| <input type="checkbox"/> 9202 | | |
| <input checked="" type="checkbox"/> Order | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
| <input type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |
| | | Reviewed by: LV |
| | | Reviewed on: 07/25/2016 |
| | | Updates: |
| | | Recommendation: |
| | | File 7- Castanon |

Petitioner Genia Kay Dewan (Pro Per, mother)

Attorney Jonette M. Montgomery, of Hanford (for Guardian Josephine M. Longoria-Contente)

Petition for Visitation

| | | | | |
|--------------------------|----------------------|---|---|---|
| | | GENIA KAY (CHERRY) DEWAN , mother, is Petitioner. <p align="center"><i>~Please see Petition for details~</i></p> | NEEDS/PROBLEMS/COMMENTS: 1. Need <i>Notice of Hearing</i> . 2. Pursuant to Probate Code §§ 1460 and 1511, need proof of 15 days' service prior to the hearing of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Visitation</i> or <i>Consent and Waiver of Notice</i> , or <i>Declaration of Due Diligence</i> , for: <ul style="list-style-type: none"> Josephine Longoria-Contente, Guardian. | |
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| Cont. from 120315 | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| | Notice of Hrg | | | X |
| | Aff.Mail | | | X |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| | Pers.Serv. | | | |
| | Conf. Screen | | | |
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| | Objections | | | |
| | Video Receipt | | | |
| | CI Report | | | |
| | 9202 | | | |
| | Order | X | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | Reviewed by: LEG | |
| | | | Reviewed on: 7/25/16 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 8 – Bell | |

Conservator: Christine Clark (pro per)

Attorney: Heather H. Kruthers (for the Public Guardian)

Probate Status Hearing Re: Possible removal of Conservator

| | | | |
|--------------------------|--|--|---|
| | | <p>CHRISTINE CLARK, spouse, was appointed conservator on 8/13/14.</p> <p>Court Investigator Report filed on 4/29/16</p> <p>Notice of Status Hearing was mailed to the Conservatee, Travis Clark, the conservator, Christine Clark and the conservatee's mother, Mary Clark on 5/6/16.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 6/20/16. Minute order states, no appearances. The Court removes Christine Clark as conservator and appoints the Public Guardian until a successor conservator can be appointed. Letters are to issue from the minute order.</p> |
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| | | | |
| Cont. from 062016 | | | |
| Aff.Sub.Wit. | | | |
| Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | | | |
| Notice of Hrg | | | |
| Aff.Mail | | | |
| Aff.Pub. | | | |
| Sp.Ntc. | | | |
| Pers.Serv. | | | |
| Conf. Screen | | | |
| Letters | | | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| 9202 | | | |
| Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |
| | | <p>Reviewed by: KT</p> <p>Reviewed on: 7/26/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10- Clark</p> | |

Petition for Letters of Administration; Authorization to Administer Under IAEA
(Prob. C. 8002, 10450)

| | | | | |
|--|---------------|--|---|---|
| DOD: 12/7/14 | | <p>HENRY MICHAEL PADILLA, JR., Son, is Petitioner and requests appointment as Administrator with Full Limited IAEA without bond. (Amended to request Limited IAEA pursuant to Supplement filed 7/25/16.)</p> <p>All heirs waive bond (?? - See note)</p> <p>Full IAEA – ok</p> <p>Decedent died intestate</p> <p>Residence: Fresno Publication: Business Journal</p> <p>Estimated value of estate: Personal property: \$1,000.00 Real property: \$155,000.00 Total: \$156,000.00</p> <p>Probate Referee: Rick Smith</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Petitioner was previously self-represented; however, pursuant to Substitution filed 7/20/16, Petitioner is now represented by Attorney Philip Flanigan.</p> <p><u>Note:</u> This is the ninth (9th) hearing on this petition. The following issue remains: <u>SEE PAGE 2</u></p> | |
| <p>Cont. from 050415, 072015, 083115, 092815, 010416, 022216, 050916, 062016</p> | | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | | |
| <input checked="" type="checkbox"/> | Verified | | | |
| <input type="checkbox"/> | Inventory | | | |
| <input type="checkbox"/> | PTC | | | |
| <input type="checkbox"/> | Not.Cred. | | | |
| <input type="checkbox"/> | Notice of Hrg | | | x |
| <input type="checkbox"/> | Aff.Mail | | | x |
| <input checked="" type="checkbox"/> | Aff.Pub. | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | |
| <input type="checkbox"/> | Pers.Serv. | | | |
| <input type="checkbox"/> | Conf. Screen | | | |
| <input checked="" type="checkbox"/> | Letters | | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | | |
| <input type="checkbox"/> | Objections | | | |
| <input type="checkbox"/> | Video Receipt | | | |
| <input type="checkbox"/> | CI Report | | | |
| <input type="checkbox"/> | 9202 | | | |
| <input checked="" type="checkbox"/> | Order | | | |
| <input type="checkbox"/> | Aff. Posting | | | |
| <input type="checkbox"/> | Status Rpt | | | |
| <input type="checkbox"/> | UCCJEA | | | |
| <input type="checkbox"/> | Citation | | | |
| <input type="checkbox"/> | FTB Notice | | | |
| | | <p>Reviewed by: skc</p> <p>Reviewed on: 7/25/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 - Padilla</p> | | |

Page 2 - NEEDS/PROBLEMS/COMMENTS (Updated 5/4/16):

Note: Declaration of Michelle Nino filed 8/17/15 states she is one of two children of the decedent and waives NOTICE and also waives ANY INTEREST in the estate (*emphasis in original*). This declaration appears to be an irrevocable disclaimer of interest as discussed in Probate Code §§ 265, 275 et seq.

Pursuant to Probate Code §282, a disclaimer, when effective, is irrevocable and binding, and the disclaimed interest shall descend to the issue of the disclaimant as if the disclaimant had predeceased the decedent.

Petitioner has now provided the names, ages, and addresses of Ms. Nino's two children in his Declaration filed 5/4/16.

Because Ms. Nino has disclaimed her interest in the estate, her two children (both adults) are now heirs.

Therefore:

1. The Court may require waivers of bond from Tim Nino and Jacquelyn Nino, or bond of \$156,000.00.

Note: If granted, the Court will set status hearings as follows:

- Monday, Sept. 19, 2016 for filing of bond, if required
- Monday, Jan. 23, 2017 for filing of Inventory and Appraisal
- Monday, Oct. 16, 2017 for filing first or final account

If the proper items are filed prior to the status hearing dates pursuant to Local Rule 7.5, the status hearings may come off calendar.

14 Christopher Bryant (GUARD/P)**Case No. 15CEPR00617**

Petitioner: Terrance Bryant (pro per)

Guardian: Daynna Lynnette Wood (pro per)

Petition for Termination of Guardianship

| | | | |
|-------------------------------------|----------------------|--|---|
| | | TERRANCE BRYANT , father, is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | DAYNNA WOOD , non-relative, was appointed guardian on 1/26/16. – present in court on 6/20/16. | Continued from 6/20/16. Minute order states anything filed needs to be by 7/15/16. As of 7/26/16 the following issues remain: |
| | | | |
| Cont. from 050916, 062016 | | Please see petition for details. | <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. Sabrina Frith (mother) b. Terrance Bryant (paternal grandfather) Shantel Standifer (paternal grandmother) c. Tracy Jones (maternal grandmother) |
| <input type="checkbox"/> | Aff.Sub.Wit. | Court Investigator Report filed on 4/25/16. | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | Declaration of Daynna Wood Filed on 6/16/16. | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input type="checkbox"/> | Notice of Hrg | X | |
| <input type="checkbox"/> | Aff.Mail | X | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input checked="" type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: KT |
| | | | Reviewed on: 7/25/16 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 14- Bryant |

Petition for Final Distribution to Sole Distributee on Waiver of Accounting, Waiver of Statutory Executor Commission; and for Allowance of Statutory Compensation to Attorneys and Extraordinary Compensation to Attorneys

| | | | |
|-------------------------------------|----------------------|---|---|
| DOD: 5/15/15 | | SANDY DUANE QUEEN , Executor with Full IAEA without bond, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: <u>SEE PAGE 2</u> |
| | | Accounting is waived. | |
| Cont. from | | I&A: \$1,313,219.58 POH: \$522,572.92 (cash) | Reviewed by: skc Reviewed on: 7/26/16 Updates: Recommendation: File 15- Lehman |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input checked="" type="checkbox"/> | Inventory | Executor (Statutory): Waived | |
| <input checked="" type="checkbox"/> | PTC | | |
| <input checked="" type="checkbox"/> | Not.Cred. | Attorney: \$13,818.67 (less than statutory, based on negotiated fee bas of \$540,933.51 rather than I&A value of \$1,313,219.58, due to assets inventoried that never should have been transferred to the decedent) | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | Attorney (Extraordinary): \$4,334.75 (for in connection with the litigation in Contra Costa County re assets inventoried in this estate that never should have been transferred to the decedent) | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | 10/20/15 | |
| <input type="checkbox"/> | Duties/Supp | Costs: \$141.68 (certified copies, valuation service, e-filing fee) | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | Closing: Petitioner states estimated closing expenses (certification, recording, tax preparation, taxes due) are unknown at this time and requests the Court order closing expenses to be paid by the trustee of the Sid and Gwen Lehman Living Trust dated 7/5/12 (trust is beneficiary of estate). | |
| <input type="checkbox"/> | CI Report | | |
| <input checked="" type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | Petitioner requests distribution pursuant to the decedent's will as follows: To Sandy Duane Queen, Successor Trustee of the Sid and Gwen Lehman Living Trust dated 7/5/12, which became the Gwen Lehman Family Trust and the Sid Lehman Marital Trust upon the death of Gwen Lehman. The nature of the funds, which are estate assets, were the separate property of Sidney Lehman and therefore pursuant to the terms of the trust, the Court should order distribution of all funds (\$504,267.82) to Sandy Duane Queen, Successor Trustee of the Sid Lehman Marital Trust UTA dated 7/5/16. | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input checked="" type="checkbox"/> | FTB Notice | | |

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. Petitioner requests this Court order that closing costs be paid by the trust; however, the trust is not before the Court and as such the Court cannot order that the trust pay such fees or be the source of such payment.

Further, Petitioner does not provide an estimated amount of closing costs for review pursuant to Local Rule 7.12.6.

The Court may require the closing reserve to be specified and withheld within this estate.

2. The decedent's will devises his estate to the Sid and Gwen Lehman Living Trust dated 7/5/12.

Petitioner states the trust was divided at Gwen's death and requests estate assets be distributed to the Sid Lehman Marital Trust because the estate assets are the decedent's separate property.

However, the Court is limited to distribution pursuant to the decedent's will, which is to the Sid and Gwen Lehman Living Trust dated 7/5/12.

(In other words, how the trustee should allocate the distribution from the estate within the trust pursuant to the terms of the trust is not before the Court.)

3. Attorney requests reimbursement of \$60.00 for "EstVal. For fee to obtain date of death values of stock portfolios." Need clarification, since this valuation was performed by the Probate Referee, who was paid a commission of \$1,101.52 for such valuations per I&A filed 11/19/15. Further, services such as computer research fees are considered by the Court to be a cost of doing business and not reimbursable pursuant to Local Rule 7.17. The Court may disallow this cost.
4. Need itemization of extraordinary fees requested pursuant to Cal. Rule of Court 7.702, 7.703.
5. Attorney requests reimbursement of \$5.18 for the e-filing fee. The Court may consider this to be a cost of doing business and not reimbursable pursuant to Local Rule 7.17.
6. Need revised order per above.

Note: The revised order should comply with Local Rule 7.6.1, which requires that monetary distributions be stated in dollars.

Note: Examiner calculates the distribution amount at \$504,277.82 (not \$504,267.82). Petitioner may wish to confirm the appropriate figure, subject to any changes per above.

Status RE: Receipt for Blocked Account

| | | | |
|-----------------------------------|--|---|---|
| | | <p>AMALIA ALVAREZ, Mother, was appointed Guardian of the Estate on 4/4/16 with bond of \$422,400.00 and all funds placed into a blocked account.</p> <p>At the hearing on 4/4/16, the Court set this status hearing re receipt for blocked account.</p> <p>Per Minute Order 6/13/16, funds must be deposited in a blocked account. The Court does not order bond at this time. Letters may issue.</p> <p>Letters issued 6/21/16.</p> <p>Note: Minute Order 4/4/16 states: The Court orders funds be placed into a blocked account upon receipt. This Court would be open to investment of the funds in the future, and would be looking for Counsel to provide specifications/projections with regard to the investment.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. On 7/21/16, Petitioner filed an "Affidavit under California Probate Code §§ 2892 et seq." that indicates a blocked account was established at EECU for this guardianship estate with an opening balance of \$340,005.00.</p> <p>However, this type of Affidavit does not constitute the receipt for blocked account as required and does not indicate that the account insured. Need receipt on mandatory Judicial Council form MC-356.</p> <p>Further, the opening balance is over the FDIC limit of \$250,000.00 (see Probate Code §2453 re insured account).</p> <p>Additionally, Petitioner originally estimated the amount the minor was to receive at \$384,000.00, but the amount deposited was only \$340,005.00.</p> <p>Therefore:</p> <p>a. Need clarification re the deposit amount; and</p> <p>b. Need receipt(s) for blocked account(s) on the mandatory Judicial Council receipt Form MC-356.</p> <p><u>Note:</u> As previously noted, because the original order required bond rather than blocking, it appears a separate Order to Deposit Money Into Blocked Account (Mandatory Judicial Council Form MC-355) will also be necessary.</p> |
| Cont. from 051616, 061316, 071816 | | | |
| Aff.Sub.Wit. | | | |
| Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | | | |
| Notice of Hrg | | | |
| Aff.Mail | | | |
| Aff.Pub. | | | |
| Sp.Ntc. | | | |
| Pers.Serv. | | | |
| Conf. Screen | | | |
| Letters | | | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| 9202 | | | |
| Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |
| | | Reviewed by: skc | |
| | | Reviewed on: 7/25/16 | |
| | | Updates: | |
| | | Recommendation: | |
| | | File 16A- Walker | |

Status RE: Filing Inventory and Appraisal

| | | |
|----------------------|---|---|
| | AMALIA ALVAREZ , Mother, was appointed Guardian of the Estate on 4/4/16 with bond of \$422,400.00 and all funds placed into a blocked account. | NEEDS/PROBLEMS/COMMENTS: 1. Need Inventory and Appraisal per Probate Code §2610 or written status report per Local Rule 7.5. |
| | | |
| | | |
| | | |
| | | |
| | | |
| Aff.Sub.Wit. | Per Minute Order 6/13/16, funds must be deposited in a blocked account. The Court does not order bond at this time. Letters may issue. | |
| Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | Letters issued 6/21/16. | |
| Notice of Hrg | Pursuant to Minute Orders of 5/16/16 and 6/13/16, the Court set this status hearing for the filing of the Inventory and Appraisal. | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |
| | | Reviewed by: skc |
| | | Reviewed on: 7/25/16 |
| | | Updates: |
| | | Recommendation: |
| | | File 16B- Walker |

Status RE: Receipt for Blocked Account

| | | | |
|-----------------------------------|--|--|---|
| | | <p>AMALIA ALVAREZ, Mother, was appointed Guardian of the Estate on 4/4/16 with bond of \$102,000.00 and all funds placed into a blocked account.</p> <p>At the hearing on 4/4/16, the Court set this status hearing re receipt for blocked account.</p> <p>Per Minute Order 6/13/16, funds must be deposited in a blocked account. The Court does not order bond at this time. Letters may issue.</p> <p>Letters issued 6/21/16.</p> <p><u>Note:</u> Minute Order 4/4/16 states: The Court orders that the funds be placed into a blocked account upon receipt. This Court would be open to investment of the funds in the future, and would be looking for Counsel to provide specifications/projections with regard to the investment. The issue of bond is taken under advisement by the Court. Counsel may provide additional justification regarding the support issue in this matter.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>2. On 7/21/16, Petitioner filed an "Affidavit under California Probate Code §§ 2892 et seq." that indicates a blocked account was established at EECU for this guardianship estate with an opening balance of \$85,005.00.</p> <p>However, this type of Affidavit does not constitute the receipt for blocked account as required and does not indicate that the account insured. Need receipt on mandatory Judicial Council form MC-356.</p> <p>Additionally, Petitioner originally estimated the amount the minor was to receive at \$96,000.00.</p> <p>Therefore:</p> <p>a. Need clarification re the deposit amount; and</p> <p>b. Need receipt(s) for blocked account(s) on the mandatory Judicial Council receipt Form MC-356.</p> <p><u>Note:</u> As previously noted, because the original order required bond rather than blocking, it appears a separate Order to Deposit Money Into Blocked Account (Mandatory Judicial Council Form MC-355) will also be necessary.</p> |
| Cont. from 051616, 061316, 071816 | | | |
| Aff.Sub.Wit. | | | |
| Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | | | |
| Notice of Hrg | | | |
| Aff.Mail | | | |
| Aff.Pub. | | | |
| Sp.Ntc. | | | |
| Pers.Serv. | | | |
| Conf. Screen | | | |
| Letters | | | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| 9202 | | | |
| Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |
| | | Reviewed by: skc | |
| | | Reviewed on: 7/25/16 | |
| | | Updates: | |
| | | Recommendation: | |
| | | File 17A- Abarca | |

Status RE: Filing of the Inventory and Appraisal

| | | | |
|----------------------|--|--|--|
| | | <p>AMALIA ALVAREZ, Mother, was appointed Guardian of the Estate on 4/4/16 with bond of \$102,000.00 and all funds placed into a blocked account.</p> <p>Per Minute Order 6/13/16, funds must be deposited in a blocked account. The Court does not order bond at this time. Letters may issue.</p> <p>Letters issued 6/21/16.</p> <p>Pursuant to Minute Orders of 5/16/16 and 6/13/16, the Court set this status hearing for the filing of the Inventory and Appraisal.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory and Appraisal per Probate Code §2610 or written status report per Local Rule 7.5.</p> |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Aff.Sub.Wit. | | | |
| Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | | | |
| Notice of Hrg | | | |
| Aff.Mail | | | |
| Aff.Pub. | | | |
| Sp.Ntc. | | | |
| Pers.Serv. | | | |
| Conf. Screen | | | |
| Letters | | | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| 9202 | | | |
| Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |

| |
|-----------------------------|
| Reviewed by: skc |
| Reviewed on: 7/25/16 |
| Updates: |
| Recommendation: |
| File 17B- Abarca |

Petitioner

Brown, Bobbiette (Pro Per – Daughter – Petitioner)

Petition for Appointment of Probate Conservator of the Person

| | | | | |
|-------------------|---------------|---|---------------------------|---|
| | | | See petition for details. | NEEDS/PROBLEMS/COMMENTS: 1. Need continuance for advisement of rights and investigation per Probate Code §§ 1823, 1826. 2. Need video receipt per Local Rule 7.15.8.A. |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| Cont. from 061616 | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| ✓ | Notice of Hrg | | | |
| ✓ | Aff.Mail | W | | |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| ✓ | Pers.Serv. | W | | |
| | Conf. Screen | | | |
| ✓ | Letters | | | |
| ✓ | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | X | | |
| | CI Report | X | | |
| | 9202 | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| | UCCJEA | | | |
| ✓ | Citation | | | |
| | FTB Notice | | | |
| | | | Reviewed by: skc | |
| | | | Reviewed on: 7/25/16 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 18- Brown | |

Petition for Letters of Administration; Limited Authority under IAEA

| | | | |
|-------------------------------------|----------------------|---|---|
| DOD: 12/14/12 | | <p>JODI SWAIN GALLAGHER, Daughter, is Petitioner and requests appointment as Administrator with Limited IAEA without bond, all funds to be placed into a blocked account.</p> <p>Petitioner is a resident of Las Vegas, NV.</p> <p>Limited IAEA – ok</p> <p>Decedent died intestate</p> <p>Residence: Clovis Publication: Business Journal</p> <p>Estimated value of estate: Real property: \$300,000.00 (Whittier Trust has indicated the estate's interest in the trust could be as little as \$150,000 or as high as \$600,000)</p> <p>Probate Referee: Rick Smith</p> <p>Petitioner states the sole purpose of opening this estate is to receive a distribution from the Clairice Benezra Trust. The trust has been being administered since before the decedent's death. There was litigation within the trust and other issues that have delayed the receipt and distribution of its assets. Currently, the Estate of Clairice Benezra, Nevada Case No. P061254 is open and awaiting assets which will pour into the trust. The trust is working to sell its remaining assets and deal with a 706 issue.</p> <p>Hence, the Helen Swain Estate is being opened to receive asset from a trust, which is waiting to receive asset from an estate via pour-over will.</p> <p>Many things will need to occur before assets are distributed to this estate. However, the institutional trustee appears to be currently charging the trust \$50,000/year to administer the \$300,000 it is holding in reserve pending the assets pouring into it. When Petitioner objected, the trustee responded that a personal representative needed to be appointed.</p> <p>Since there are no assets to pay a bond premium from, combined with the fact that the assets realistically may not be received for years, Petitioner requests the Court order that any and all assets received be deposited into a blocked account in lieu of requiring a bond at this time.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 6/20/16</u>: Objections need to be filed by 7/15/16.</p> <p><u>Note</u>: As of 7/25/16, no objections have been filed, and nothing further has been filed by Petitioner. The following issues remain noted:</p> <p><u>SEE PAGE 2</u></p> |
| Cont. from 062016 | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail W | | |
| <input checked="" type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |

Page 2

1. Need date of death of deceased spouse per Local Rule 7.1.1.D.
2. Heir Judy Swain appears to have been given notice at a business address ("Bamboo 2 U" in Leucadia, CA). The Court may require clarification regarding use of this address.
3. Need clarification re the nature of the anticipated estate assets. Petitioner indicates at #3c that the estate is expected to contain real property valued at \$300,000*, with the * referring to Attachment 3c. There is no Attachment 3c; however, Attachment 2d provides the information summarized above, and estimates the estate's "interest in the trust" at between \$150,000 and \$600,000. Is the estate expected to contain real property or cash or other assets?
4. The Court may require waivers of bond from the two other heirs, Judy Swain and James Swain, or bond in an appropriate amount subject to #2 above.
5. The Court may require clarification regarding the status of the referenced pending cases in Nevada and the estimated time frame for closing this estate with reference to Probate Code §12200.

Note: If granted, the Court will set status hearings as follows:

- Monday, Sept. 19, 2016 for filing of bond, if required, or receipt for blocked account.
- Monday, Jan. 23, 2017 for filing of Inventory and Appraisal
- Monday, Oct. 16, 2017 for filing first or final account

20 Jasiah Byars, Joshua Byars (GUARD/P) Case No. 16CEPR00571

Petitioner Attaway, Jasmine Marie (Pro Per – Aunt)

Petition for Appointment of Guardian of the Person

| | | |
|---|--|---|
| Jasiah Age: 6 | NO TEMPORARY REQUESTED JASMINE MARIE ATTAWAY, maternal aunt, is petitioner. <u>Please see petition for details</u> | NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none">• Joshua Byars (Father)• Porcha Thomas (Mother) 3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none">• Paternal Grandfather (Not Listed)• Regina Byars (Paternal Grandmother)• Le Dree Attaway (Maternal Grandmother) 4. UCCJEA is incomplete. Need minors' residence information for the past 5 years. 5. Page #5 of the Guardianship Petition – Child Information Attachment (GC 210(CA)) which pertains to whether the child has Native American Ancestry indicates at #8a that inquiry is not necessary as this petition is a guardianship of the estate only. Petition does not request guardianship of the estate therefore need declaration with page #5 attached which addresses if the child has any known Indian ancestry. |
| Joshua Age: 3 | | |
| | | |
| | | |
| Cont. from | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> Verified | | |
| <input type="checkbox"/> Inventory | | |
| <input type="checkbox"/> PTC | | |
| <input type="checkbox"/> Not.Cred. | | |
| <input type="checkbox"/> Notice of Hrg | | |
| <input type="checkbox"/> Aff.Mail | | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input type="checkbox"/> Pers.Serv. | | |
| <input checked="" type="checkbox"/> Conf. Screen | | |
| <input checked="" type="checkbox"/> Letters | | |
| <input checked="" type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| <input type="checkbox"/> Order | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
| <input checked="" type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |

| |
|--------------------------------|
| Reviewed by: LV |
| Reviewed on: 07/26/2016 |
| Updates: |
| Recommendation: |
| File 20- Byars |

| | | | | |
|-------------------------------------|----------------------|--|--|---------------------------------------|
| DOD: 12/26/2015 | | HAROLD WOLF , named executor without bond, is petitioner. | NEEDS/PROBLEMS/COMMENTS: | |
| | | | | |
| | | Full IAEA – o.k. | 1. Petitioner's relationship to the decedent is not listed on #8 of the petition as required. | |
| Cont. from | | Will dated: 06/18/1997 | <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Monday, 01/09/2017 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Monday, 10/02/2017 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p> | |
| <input type="checkbox"/> | Aff.Sub.Wit. | s/p | | 1 st Codicil: 05/03/2006 |
| <input checked="" type="checkbox"/> | Verified | | | 2 nd Codicil: 12/11/2015 |
| <input type="checkbox"/> | Inventory | | | Residence: Fresno |
| <input type="checkbox"/> | PTC | | | Publication: The Business Journal |
| <input type="checkbox"/> | Not.Cred. | | | Estimated value of the Estate: |
| <input checked="" type="checkbox"/> | Notice of Hrg | | | Personal property - \$85,652.64 |
| <input checked="" type="checkbox"/> | Aff.Mail | w/ | | Real property - \$100,000.00 |
| <input checked="" type="checkbox"/> | Aff.Pub. | | | Total - \$185,652.64 |
| <input type="checkbox"/> | Sp.Ntc. | | | Probate Referee: Rick Smith |
| <input type="checkbox"/> | Pers.Serv. | | | |
| <input type="checkbox"/> | Conf. Screen | | | |
| <input checked="" type="checkbox"/> | Letters | | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | | |
| <input type="checkbox"/> | Objections | | | |
| <input type="checkbox"/> | Video Receipt | | | |
| <input type="checkbox"/> | CI Report | | | |
| <input type="checkbox"/> | 9202 | | | |
| <input checked="" type="checkbox"/> | Order | | | |
| <input type="checkbox"/> | Aff. Posting | | | |
| <input type="checkbox"/> | Status Rpt | | | |
| <input type="checkbox"/> | UCCJEA | | | |
| <input type="checkbox"/> | Citation | | | |
| <input type="checkbox"/> | FTB Notice | | | |
| | | | Reviewed by: LV | |
| | | | Reviewed on: 07/26/2016 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 22- Schindler | |

24 Elijah Mendoza, Gabbana Mendoza, Danny Mendoza (GUARD/P)

Case No. 16CEPR00702

Petitioner: Elaine Martinez (pro per)

Petitioner: Evette Amparano (pro per)

Petition for Appointment of Temporary Guardian of the Person

| | | | | |
|--------------------------|----------------------|----|--|---|
| | | | <u>GENERAL HEARING 9/6/16</u> | NEEDS/PROBLEMS/COMMENTS: |
| | | | | |
| | | | <u>Temporary Expires 8/1/16</u> | |
| | | | | |
| Cont. from 071816 | | | ELAINE MARTINEZ , maternal great aunt and EVETTE AMPARANO , maternal grandmother, are petitioners. | 1. Need Notice of Hearing. (Proof of service on the father shows he was served with a Notice of Hearing and a copy of the temporary petition however the Notice of Hearing has not been filed therefore examiner cannot verify he was served with the correct hearing date.) |
| | Aff.Sub.Wit. | | Please see petition for details. | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| | Notice of Hrg | X | | |
| | Aff.Mail | | | |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| ✓ | Pers.Serv. | W/ | | |
| ✓ | Conf. Screen | | | |
| ✓ | Letters | | | |
| ✓ | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| | CI Report | | | |
| | 9202 | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| ✓ | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |

Petition for Appointment of Temporary Guardian of the Person

| | | |
|--|---------------------------|---|
| | See petition for details. | NEEDS/PROBLEMS/COMMENTS: |
| | | |
| | | |
| | | |
| Cont. from | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> Verified | | |
| <input type="checkbox"/> Inventory | | |
| <input type="checkbox"/> PTC | | |
| <input type="checkbox"/> Not.Cred. | | |
| <input type="checkbox"/> Notice of Hrg | X | |
| <input type="checkbox"/> Aff.Mail | | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input type="checkbox"/> Pers.Serv. | X | |
| <input checked="" type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
| <input checked="" type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| <input type="checkbox"/> Order | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
| <input checked="" type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |
| | | <p>1. Need Child Information Attachment GC-210(CA), which contains mandatory information regarding the minor, including list of relatives entitled to notice, information re ICWA, etc.</p> <p>2. Need Notice of Hearing.</p> <p>3. Need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing per Probate Code §2250(e) on: - Lee Seng Thao (Father) - Xee Moua (Mother)</p> |
| | | Reviewed by: skc |
| | | Reviewed on: 7/26/16 |
| | | Updates: |
| | | Recommendation: |
| | | File 25- Thao |